Robertson County Development Office
Robertson County Office Building
527 S. Brown Street, Springfield, TN 37172

BOARD OF ZONING APPEALS MEMORANDUM & AGENDA

Date: August 15, 2024

Mr. Chairman and Board Members:

The following request is scheduled for appearance before the Robertson County Board of Zoning Appeals. The applicant has been advised that the Board will meet on Thursday, **August 22, 2024, at 6:00 P. M.** in the Judicial Complex, Second Floor, Robertson County Office Building, Springfield, Tennessee.

Detailed information on the cases below is enclosed. The request has been advertised as a public hearing in the Robertson County Connection. The applicants have been provided with a letter stating the date and time of the meeting.

Should you have comments or questions upon receipt of this information, please feel free to contact the Development Office.

Thank you!

The agenda is as follows:

1. Roll Call
2. Announcements
3. Approval of the minutes of the May 23, 2024, meeting.
4. Old Business: None
5. New Business:

   A. **Case 2024-07:** Critter Fixers on behalf of H.A.T.S requests a "Special Exception" for the approval to allow a spay and neuter clinic to be operated at 4859 Hwy 431 N, Springfield, TN 37172. Tax Map 057, Parcel 067.00 in the 8th Voting District.
   B. **Case: 2024-08:** Attorney David Pike on behalf of AT&T Mobility requests a "Special Exception" for the approval to allow a Wireless Communication Facility to be constructed at 3897 Dot Rd., Springfield, TN 37172. Tax Map 018, Parcel 016.01 in the 8th Voting District.

6. Adjourn.

ROBERTSON COUNTY BOARD OF ZONING APPEALS

The Robertson County Board of Zoning Appeals met on Thursday, May 23, 2024, at 6:00 p.m. in the Judicial Complex, 2nd Floor, Robertson County Office Building, Springfield, Tennessee.

MEMBERS PRESENT:	ABSENT:	OTHERS PRESENT:
Bob Stroud	Will David Goodman	Hunter Mantooth
Andy Teasley	Rick Robinson	Jordan Biggs
Tom Wilks		David Fauth

Meeting was called to order by Chairman Stroud at 6:10 p.m.

Motion to approve Minutes from the meeting held on April 25, 2024, was made by Andy Teasley with a second by Tom Wilks. Motion passed 3-0.

Announcements: None

Case 2024-05: Harsha Lachmandas with SHIVA, Inc. requests a "Special Exception" for the approval to allow the temporary sale of fireworks at 5124 Hwy 431 N, Springfield, TN 37172. Tax Map 045, Parcel 021.00 in the 8th Voting District.

Case 2024-06: Harsha Lachmandas with SHIVA, Inc. requests a "Special Exception" for the approval to allow the temporary sale of fireworks at 4230 Hwy 49 W, Springfield, TN 37172. Tax Map 100, Pacel 066.00 in the 11th Voting District.

Harsha Lachmandas was there and presented both requests at the same time. No questions from the board.

No one showed to speak against.

The motion to grant a special exception for both locations was made by Tom Wilks with a second by Andy Teasley.

Motion passed 3-0.

With there being no additional business, a motion to adjourn was made by Andy Teasley with a second by Tom Wilks.

The motion passed 3-0.

Meeting was adjourned by Chairman Stroud at 6:19 pm.

Respectfully submitted,

Planning Staff

New Business: A

Case 2024-07

Critter Fixers
On behalf of
H.A.T.S

Robertson County Development Office
Staff Comments
Board of Zoning Appeals Meeting
August 22, 2024

Applicant: Critter Fixers on behalf of H.A.T.S., Inc.

Request: Special Exception for the approval of a spay and neuter clinic

Property Information:

- Tax Map 057, Parcel 067.00
- Hwy 431 N., Springfield, TN 37172
- 4.5 acres
- Zoned AG-2
- 8th Voting District

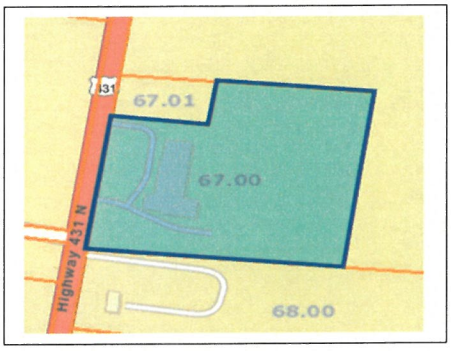


Figure 1: TN Prop. Viewer
Tax Map 057., Parcel 067.00

Discussion:

The applicant is seeking permission from the Board of Zoning Appeals for the approval to allow a spay and neuter clinic to be operated at this location.

This use can be identified as Veterinary Services (Other) which is a Special Exception uses per the Roberton County Zoning Resolution.

**** END COMMENTS ****

TABLE 6-A PERMITTED USE SCHEDULE, CONTINUED

USE TYPES	ZONING DISTRICTS														
	AG-1	AG-2	RP-80	R-40	R-30	R-20	C-1	C-2	C-3	C-4	I-1	I-2	I-3		
BUSINESS, PROFESSIONAL AND PERSONAL SERVICES Cont'd															
Motion Picture Productions							P			S	P	P			
Noncommercial Research Organizations							P	P	P	P	P	P			
Office Uses General							P	P	P	P	P	P			
Pest or Termite Control Services							P	S	S	P	P	P			
Photocopying and Duplicating Services							P	S	S	P	P	P			
Photo-finishing Laboratories							P			S	P	P			
Photography, Commercial							P	S	S	S	P	P			
Photography Studios	S	S	S	S	S	S	P	P	P	P					
Professional Membership Organizations							P	P	P	P	P	P			
Real Estate Offices	S	S	S	S			P	P	P	P	S	S			
Recreational Vehicle Parks or Campsites							P	S	S	P	S	S			
Refrigerator or Large Appliance Repairs							P			P	P	P			
Rehabilitation or Counseling Services							P			P	S	S			
Research, Development, or Testing Services							P			P	P	P			
Security Services							P	S	S	P	P	P			
Septic Tank Services							P			S	P	P			
Shoe Repair or Shoeshine Shops							P	S	S	P	P	P			
Stock, Security, or Commodity Brokers		S	S	S			P	P	P	P					
Tanning Salons	S	S	S	S			P	P	P	P					
Taxidermists	S	S	S				P	S	S	P	P	P			
Television, Radio, or Electronic Repairs	S	S	S				P	P	P	P	P	P			
Theaters, Outdoor							P			S	P	P			
Theaters, Indoor							P			P	P	P			
Tire Recapping							S			S	P	P			
Tourist Homes (Bed & Breakfast)	S	S	S	S	S	S	P	S	S	P					
Travel Agencies	S	S	S	S	S	S	P	P	P	P	P	P			
Truck Driving Schools							P			S	P	P			
Truck Tractor & Semi Rental & Leasing, Heavy							S			P	P	P			
Truck Washing							P			P	P	P			
Veterinary Services (Other)	S	S	S				P	S	S	P	P	P			
Vocational, Business, or Secretarial Schools							P			P	P	P			

P = Use by right
S = Special Use Permit Required
# =Indicates Additional District Requirements

D = Development Standards
O = Overlay Zoning Required

ROBERTSON COUNTY DEVELOPMENT OFFICE
ROBERTSON COUNTY OFFICE BUILDING
527 SOUTH BROWN STREET, SPRINGFIELD, TENNESSEE 37172
615-384-3666

Board of Zoning Appeals Application for a Special Exception

Owner of Record Information
Name: Habilitation and Training Services Inc
Mailing Address (No P.O. Boxes, please): 4859 Hwy 431 N. Springfield TN 37172
Email: bminnix@hatstn.org
Telephone Number: 615-575-1032

Procedure Notes
1. Special Exceptions are requested when a certain use has been identified as a "Special Exception" in the Zoning Resolution for the zone where the property is located. Special Exceptions must first be approved by the Board of Zoning Appeals first before any site plans for the project are submitted for consideration to the Planning Commission.
2. The applicant must demonstrate compliance with the specific standards for the use, as set forth in the City's Zoning Resolution. The burden is on the applicant to demonstrate to the Board of Zoning Appeals that all conditions of the Zoning Resolution have been met.
3. The Board of Zoning Appeals will consider the request and determine if it meets the requirements set forth by the County's Zoning Resolution.

Application Process:
In order to publish the notice in the newspaper on time, the application due dates are firm. Complete applications received after the application deadline will be placed on the following month's agenda. Applications are considered "complete" when the following steps have been completed:

1. Submit **one** (1) copies of this completed form and supporting materials to Robertson County Development Office by application due date (see attached form).
2. Remit application fee to Robertson County Development Office.
3. Ensure the application is **signed by property owner.**
4. Pick up the BZA Meeting Notice sign for the yard from the County Development Office. Place it in the yard of the subject property, where it is easily seen by the public.
5. Attend Board of Zoning Appeals meeting. Be ready to present the application to the Board. **Failure to attend the meeting may result in the application being denied.**

Request for Review:
Please state the exact Special Exception use being sought, including the Zoning Resolution Article & Section. Please attach additional pages if more room is required. Please include any supporting documentation that supports your position.
Per the permitted use schedule for Veterinary Services (other) a Special Use Permit is required in AG 2 zoning.

[signature], H.A.T.S Inc — 6-21-2024

Owner's Signature **Date**

Critter Fixers Special Use Permit Application
4859 HWY 431N

Critter Fixers is a nonprofit organization that provides access to affordable spay and neuter services. We would like to open and operate a low cost spay and neuter clinic at 4859 HWY 431N. Per the permitted use schedule for Veterinary Services (Other) a Special Use Permit is required in AG2 zoning.

Once open and operating at full capacity we aim to provide surgery to 35 animals (cats and dogs) per day, 4 days a week, 50 weeks a year, aiming for 7,000 animals per year. Spay and neuter clinics in general are a new concept and are a bit of a gray area when it comes to zoning. We have been searching for a location for quite a while and believe that the property located at 4859 HWY 431N is a perfect location for a clinic.

Unlike a typical veterinary clinic, everyone will drop off at the same time and everyone will pick up at the same time. This unusual traffic pattern requires more of a rural setting than a high-density commercial setting. We plan to utilize a curb-side service approach, minimizing client loitering time to ensure a smooth and efficient flow. We will also have separate times for dog vs cat drop off/pickup, further minimizing the check in/out times. We have done extensive measuring of the parking lot and have a traffic flow plan to ensure that traffic is not backed up onto HWY 431N. The property also has a very large, unutilized area, where the parking lot can be extended, if needed. It's also important to note that the County operates a garbage convenience center adjacent to the property, and our traffic flow plan will ensure that citizens using the facility will not be affected.

This area of 431N is primarily businesses, all of which we have spoken with and received their blessing on opening. We've also been in contact with the owners of any residential property in the immediate vicinity, and they were very welcoming. *a letter of support from the above-mentioned businesses/residents is attached.

What is a high volume, low cost, spay neuter clinic?
It is a clinic 100% focused on spay and neuter services. Their sole purpose of existence is to provide affordable spay neuter services to help control the unwanted pet population, reduce euthanasia numbers and decrease animal control intake.

The average price for a spay or neuter surgery at a full-service veterinary clinic is $300. As a nonprofit, in a network of other similar clinics, we enjoy discounted rates for vaccines and surgical supplies, not available to private veterinarians, this helps low cost spay and neuter clinics to offer the same services at a fraction of the price. **The average price for surgery at a clinic is $65.** Rabies vaccines are generally included in the price of surgery, and additional vaccines are offered at a very low cost.

Why does Robertson County need a clinic?
As Robertson County continues to grow, our current program is not able to keep up with the demand for services. Our animal shelters are full. We simply cannot continue down our current path. If your basement is flooding, what do you do first? Turn off the water or grab a bucket? You turn off the water. Spay and neuter is "turning the water off."

Eye Opening Facts

· Throughout Tennessee's 95 counties, there are approximately 25 affordable spay and neuter clinics, leaving 70 counties with little to no resources. Every clinic, on average, is booked 12 weeks out.

· Tennessee is home to approximately 2.6 million households, with an estimated 62% of them owning at least 1 pet. Across Tennessee, we find that pet ownership rates are at least double the national average.

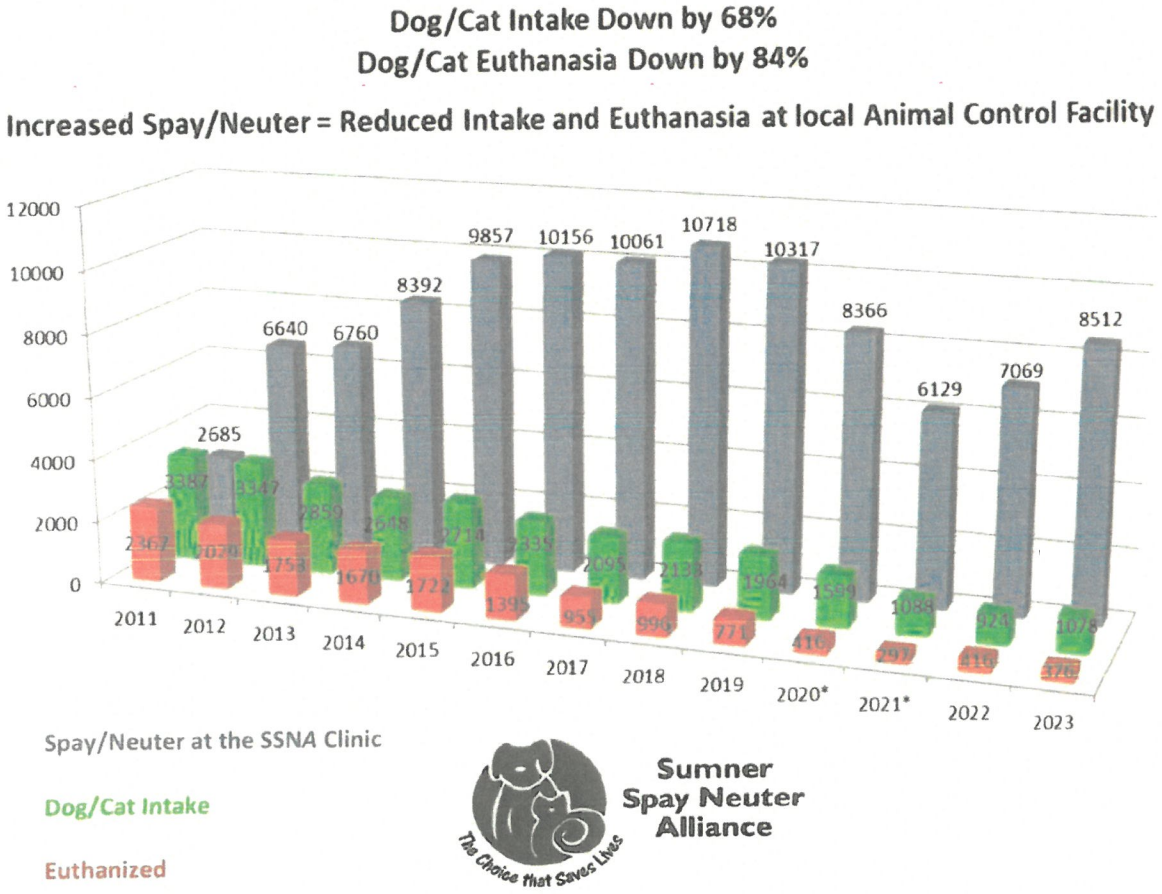
· An estimated 10% of the homeless population are pet owners.

· Unaltered community/free roaming cats produce 80% of the kittens born in the US each year. An overwhelming amount of these litters are found and brought to local shelters by caring citizens.

Does low-cost equal low quality?

Absolutely not! Services are provided by licensed veterinarians that have gone through specialized training to provide the most efficient and up to date surgical techniques. These veterinarians perform an average of 35 surgeries a day, 4 days a week, allowing them to not only sharpen their surgical skills, but to become the best in their field.

Example of Sumner County's progress since the opening of Sumner Spay Neuter Alliance. Animal control intake and euthanasia numbers steadily decrease as their surgery numbers increase.

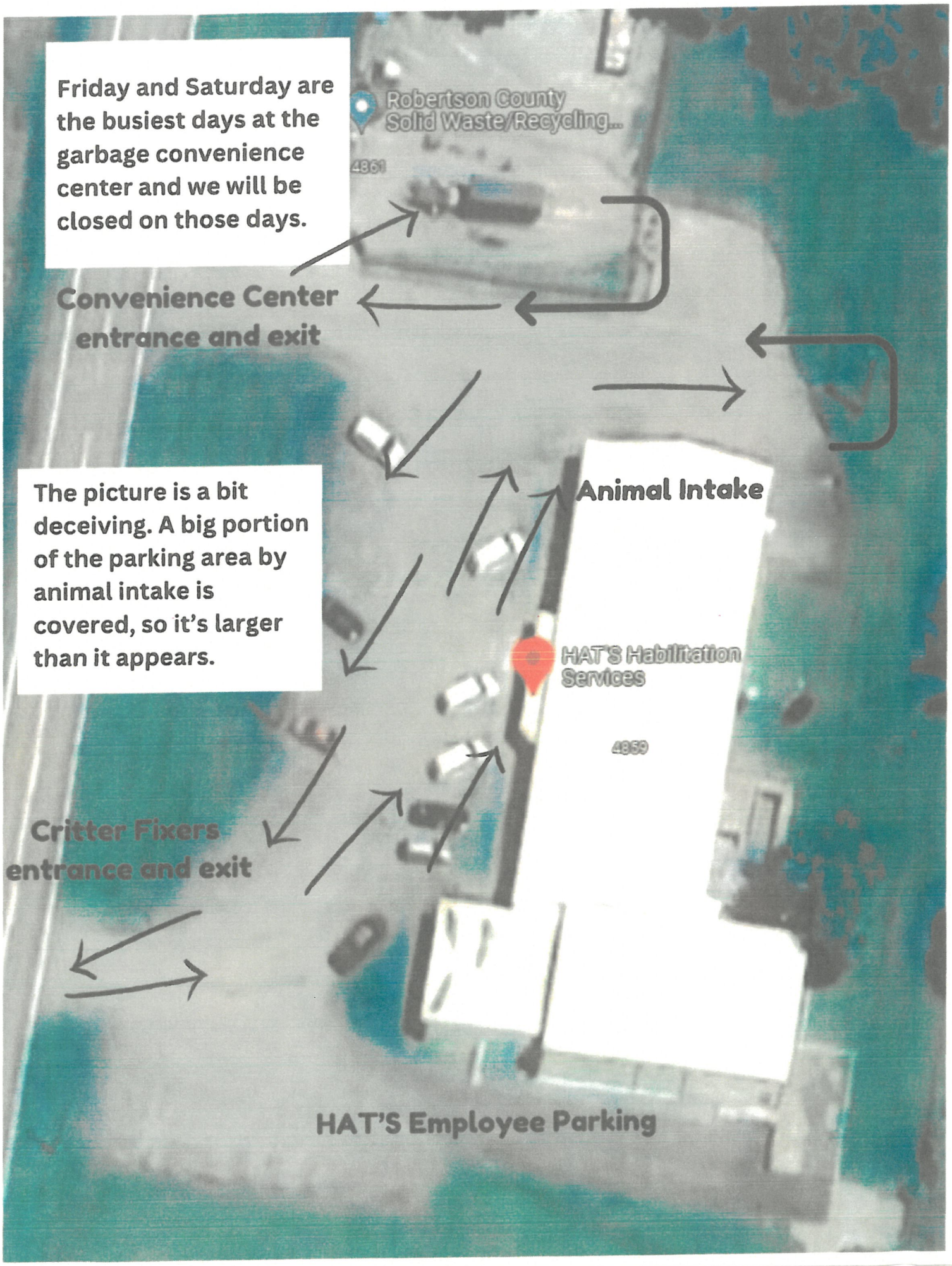


The Sumner Spay Neuter Alliance Clinic in Gallatin, TN performed 105,659 spay/neuter surgeries from July 2011 through December 2023.

Our mission is to reduce the shelter intake and euthanasia of dogs and cats by making high quality, low cost spay/neuter services available to residents of our community.

Intake and euthanasia numbers were provided by Sumner County Sheriff's Office, Division of Animal Control.

**2020 and 2021 numbers were impacted by the Covid pandemic.*


Friday and Saturday are the busiest days at the garbage convenience center and we will be closed on those days.
Robertson County Solid Waste/Recycling...
4861
Convenience Center entrance and exit
The picture is a bit deceiving. A big portion of the parking area by animal intake is covered, so it's larger than it appears.
Animal Intake
HAT'S Habilitation Services
4859
Critter Fixers entrance and exit
HAT'S Employee Parking

CRITTER FIXERS
AFFORDABLE SPAY & NEUTER

Critter Fixers
Spay & Neuter Clinic
(clínica de esterilización y castración)
4859 HWY 431N
Neighborhood Support
(apoyo vecinal)

Name (nombre) MATT FARROW
Date (fecha) 6-23-24
Address (direccion) 4876 HWY 431 N. SPRINGFIELD, TN.
Signature (firma) Matt Farrow

Name (nombre) Rosa M. Castro
Date (fecha) 06-23-24
Address (direccion) 4838 Highway 431 N Springfield TN
Signature (firma) Rosa

Name (nombre) Brittney Parks
Date (fecha) 6-24-24
Address (direccion) 4830 hwy 431 N Springfield
Signature (firma) Britney Parks

Name (nombre) Ed Cope
Date (fecha) 6-24-24
Address (direccion) 4802 Hwy 431 N Springfield TN
Signature (firma)

Name (nombre) UPG / Cumberland River
Date (fecha) 6-24-24
Address (direccion) 4855 Hwy 431 N Springfield TN 37172
Signature (firma) CJR

Name (nombre) Debra Gardman

Date (fecha) 6-24-24

Address (direccion) 4853 Hwy 431 North Springfield Tn. 37172

Signature (firma) [signature]

Name (nombre) Les Cope - Cope Brothers Concrete

Date (fecha) 6-24-24

Address (direccion) 1830 Hwy 431 N

Signature (firma) - spk with on phone - OK with plan - out at a JoBsite - Unable to sign

Name (nombre) McPherson - believed to be in a nursing home

Date (fecha) Home is currently vacant.

Address (direccion) 4856 Hwy 431 N

Signature (firma)

Name (nombre)

Date (fecha)

Address (direccion)

Signature (firma)

Name (nombre)

Date (fecha)

Address (direccion)

Signature (firma)

Name (nombre)

Date (fecha)

Address (direccion)

Signature (firma)

Hunter Mantooth

From: Gina Hieber
Sent: Tuesday, July 23, 2024 2:38 PM
To: Hunter Mantooth
Subject: Special permit for Critter Fixers

Hunter, I am in support of the special permit being approved for Critter Fixers.

Thanks Gina Head-Hieber
Get Outlook for iOS

New Business: B

Case 2024-08

Attorney David Pike
On behalf of
AT&T Mobility

COLLIER ENGINEERING CO., INC.
CONSULTING • DESIGN • CONSTRUCTION

2949 Nolensville Pike• Nashville, TN 37211
615 331-1441 • WWW.COLLIERENGINEERING.COM

MEMORANDUM

To: Hunter Mantooth, Chief Deputy Planning

From: David Fauth, Land Use Planner

Date: July 16, 2024

Re: Staff Comments, 3897 Dot Road, Board of Zoning Appeals

Reviewed for The Robertson County
Board of Zoning Appeals Meeting
August 22, 2024

Staff Comments

Item: New Cell Tower Site Build located at 3897 Dot Road (Map 018, Parcel 016.01)

Request: Special Exception for construction of 199' Monopole Telecommunications Tower

Discussion/Comments:

This Site Plan was reviewed using the Robertson County Zoning Resolution, Article IV, Section 4-9 (Minimum Design Standards for Transmission and Communication Towers and Stations, Article VIII, Section 8-2.8(B) (Special Conditions for Transmission and Communication Towers and Stations). Article XI, Section 11-3.3 (Site Plan Requirements).

Review of the plan yielded the following comments:

1. All comments have been addressed.

**** End Comments ****

TABLE 6-A PERMITTED USE SCHEDULE, CONTINUED

USE TYPES	ZONING DISTRICTS														
	AG-1	AG-2	RP-80	R-40	R-30	R-20	C-1	C-2	C-3	C-4	I-1	I-2	I-3
WHOLESALE TRADE Cont'd													
Plumbing and Heating Equipment							P			S	P	P	
Professional & Comm. Equip. & Supplies							P			S	P	P	
Resins							S			S	P	P	
Scrap and Waste Materials (Junkyards)											S	P	
Sporting & Recreational Goods & Supplies							P			P	P	P	
Tobacco and Tobacco Products							P	S	S	P	P	P	
Toys and Hobby Goods and Supplies							P	S	S	S	P	P	
Wallpaper and Paint Brushes							P	S	S	P	P	P	
TRANSPORTATION, WAREHOUSING AND UTILITIES													
Airports or Air Transportation Facilities	S	S					S			S	S	S	
Atomic Reactors													D#
Bulk Mail and Packaging							S			S	P	P	
Bus Terminals							P			S	S	S	
Communication and Broadcasting Facilities	S	S					P			S	S	S	
Courier Services, Central Facility							P			S	P	P	
Courier Service Substations							P			S	P	P	
Hazardous, Infectious & Radioactive Waste (transport, storage and disposal)													D#
Heliports							S			S	P	P	
Land Clearing and Inert Debris Landfills, Major													D#
Land Clearing and Inert Debris Landfills, Minor													D#
Landfill, Solid Waste													D#
Moving and Storage Services							P			S	P	P	
Radio, Television, or Communication Towers	S	S	S	S	S	S	S	S	S	S	S	S	S
Railroad Terminals or Yards							S			S	P	P	
Recycling Processing Centers											S	S	S
Refuse and Raw Material Hauling											S	S	
Refuse and Raw Material Transfer Points													D#
Sewage Treatment Plants	S	S	S	S	S	S	S	S	S	S	S	S	D#
Solar Energy System (Major)	S	S	S				S	S	S	S	S	S	D#
Solid Waste Incinerators													D#

P = Use by right
S = Special Use Permit Required
# =Indicates Additional District Requirements

D = Development Standards
O = Overlay Zoning Required

TABLE 6-A PERMITTED USE SCHEDULE, CONTINUED

limited to twenty-five *(25)* feet in width maximum, exclusive of curb returns.

G. No automobile wrecking, junk, or salvage yard shall be permitted within three hundred *(300)* feet of any public road in Robertson County, except where a more stringent state or Federal law applies.

4-8 DEVELOPMENT STANDARDS FOR CEMETERIES

A. The following standards shall be imposed upon the development and construction of cemeteries in Robertson County:

1. The site proposed for a cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such site shall have direct access to a thoroughfare.

2. Any new commercial cemetery shall be located on a site containing not less than twenty *(20)* acres.

3. All structures including but not limited to mausoleums, permanent monuments, or maintenance buildings shall be setback not less than twenty-five *(25)* feet from any property line or street right-of-way.

4. All graves or burial lots shall be setback not less than twenty-five *(25)* feet from any property line or street right-of-way line.

5. All required yards shall be landscaped and maintained in good order in accordance with state and local regulations.

4-9 MINIMUM DESIGN STANDARDS FOR TRANSMISSION AND COMMUNICATION TOWERS AND STATIONS

(Added Section, by Resolution, May 19, 1997)

Standards for Telephone, Telegraph, and Communications Transmitter Stations and Towers; all transmitter stations, including towers and operating equipment shall adhere to the following standards:

A. All towers with a height of one hundred fifty *(150)* feet (from base to top) or more shall be constructed in accordance with Electronic Industries Association ("EIA") Standard 222E-1991, utilizing a wind rating of eighty (80) miles per hour plus ice loading for Robertson County, Tennessee. Each application for a building permit shall be accompanied by a certification by a professional engineer licensed in the State of Tennessee and competent in such design.

B. A site plan in compliance with ***Section 11-3.3*** shall be approved by the Planning Commission prior to the issuance of a building permit.

C. All towers shall be set back from all property lines by a distance that is equal to:

1. for a guyed tower, twenty *(20)* percent of the height, and

2. for a self-supporting tower, fifty *(50)* percent of the height.

D. All applications for permits to build towers in Robertson County must be accompanied with a "Determination of No Hazard" from the Federal Aviation Administration, as well as all required Federal Communications Commission permit information.

E. The entire tract containing the tower and equipment shall be enclosed with a fence no shorter than six *(6)* feet in height. Access gates will be locked at all times when the site is not occupied.

F. Where the tower site abuts or is contiguous to any residential district, there shall be provided a continuous, solid screening, and it shall be of such plant material as will provide a year-round evergreen screening. Screening, as required herein, shall not be less than four *(4)* feet in height at the time of planting, and shall be permanently maintained.

G. All towers that require marking or lighting shall be done incompliance with Federal Aviation Administration regulations, but no tower shall be lighted from dusk to dawn by any form of white flashing light unless required by the Federal Aviation Administration.

4-10 RESIDENTIAL CLUSTER DEVELOPMENT AND OPEN SPACE CONSERVATION DESIGN OVERLAY PROVISION

(Deleted in its Entirety and Replaced with New Section by Resolution 082106080, August 21, 2006.)

4-10.1 Purposes

To establish an optional process allowing greater flexibility in development design to encourage more sensitive "density-neutral' layouts that are more harmoniously designed to preserve open space and the County's essentially rural character. Among the important public purposes served by this Section are the following:

A. To help maintain the County's distinctive rural character by locating new residential development in areas where the development's visibility from public roads, watercourses, neighboring dwellings and parks would be minimized, with an emphasis upon conserving scenic vistas, and by using design methods for such purposes;

B. To encourage the preservation of productive agricultural land by including such areas within undivided open space and by improving the efficiency of land design practices associated with residential development;

C. To steer development to those areas that are better suited for it by virtue of environmental conditions and availability of public infrastructure;

ROBERTSON COUNTY DEVELOPMENT OFFICE
ROBERTSON COUNTY OFFICE BUILDING
527 SOUTH BROWN STREET, SPRINGFIELD, TENNESSEE 37172
615-384-3666

Board of Zoning Appeals Application for a Special Exception

Owner of Record Information

Name: AT&T Mobility c/o David A P. Ke, Attorney
Mailing Address (No P.O. Boxes, please): 1578 Hwy 44E, Stdg, Shepherdsville Ky 40165
Email: DPike@PikeLegal.com
Telephone Number: 800-576-4293

Procedure Notes

1. Special Exceptions are requested when a certain use has been identified as a "Special Exception" in the Zoning Resolution for the zone where the property is located. Special Exceptions must first be approved by the Board of Zoning Appeals first before any site plans for the project are submitted for consideration to the Planning Commission.
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Request for Review:

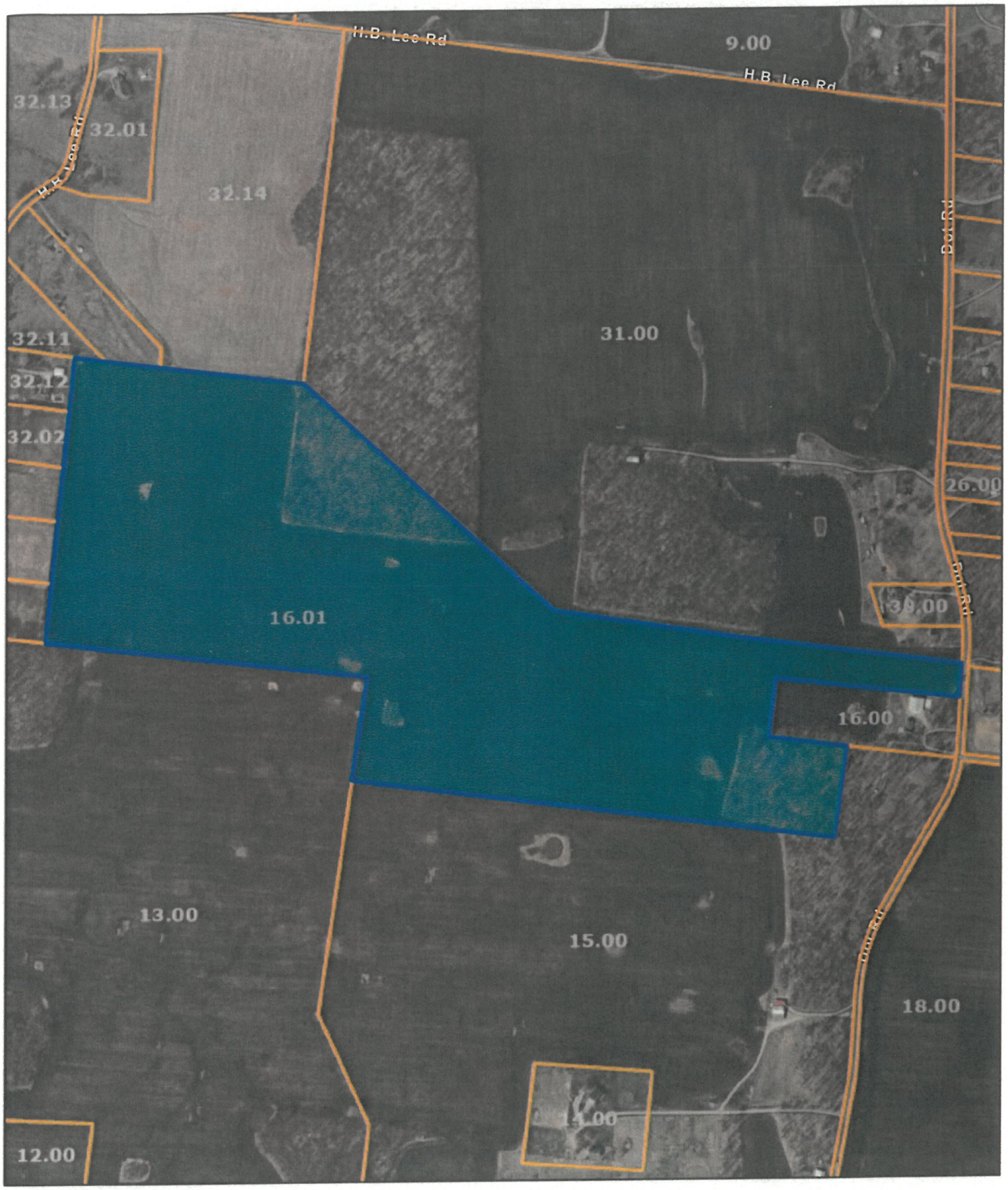
Please state the exact Special Exception use being sought, including the Zoning Resolution Article & Section. Please attach additional pages if more room is required. Please include any supporting documentation that supports your position.

Wireless Communication Facility - Section 4.9
See attached

D.A. Pike
Owner's Signature

7-12-24
Date

Robertson County - Parcel: 018 016.01



Date: July 29, 2024

County: Robertson
Owner: OWENS JEREMY S ETUX
Address: DOT RD
Parcel Number: 018 016.01
Deeded Acreage: 96.3
Calculated Acreage: 0
Date of TDOT Imagery: 2021
Date of Vexcel Imagery: 2023

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Esri Community Maps Contributors, Tennessee STS GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, State of Tennessee, Comptroller of the Treasury, Division of Property Assessments (DPA)

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.